

**Notice of Allowability**

Application No.

10/030,754

Examiner

Lars A Olson

Applicant(s)

HUDD, ADRIAN GERALD

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after-final amendment received from the applicant on September 16, 2004.
2. ☒ The allowed claim(s) is/are 2-11 and 17-22.
3. ☒ The drawings filed on 19 April 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

### Reasons for Allowance

1. An after-final amendment was received from the applicant on September 16, 2004.
2. Claims 1 and 12-16 have been canceled.
3. Claims 2-11 and 17-22 are allowed.
4. The following is an examiner's statement of reasons for allowance. The apparatus for cleaning the hull of a floating vessel as claimed is not shown or suggested by the prior art because of the use of an apparatus that is comprised of a submersible framework, a plurality of moveable cleaning means that are supported by said framework, and displacement means for moving said cleaning means in order to clean the hull of said vessel, where said displacement means is connected to said cleaning means and is operable for moving said cleaning means generally upwardly and downwardly with respect to said hull while cleaning said hull. The prior art also does not show or suggest the use of a method for cleaning the hull of a floating vessel with cleaning means and displacement means that are supported on a framework that is adapted for location underwater, said method being comprised of the steps of operating said displacement means to urge said cleaning means generally upwardly and downwardly of the hull of a floating vessel, arranging said cleaning means to contact fouling on said hull, and employing control means to control the degree of generally upwardly and downwardly directed displacement of said cleaning means.

5. The prior art as disclosed by Locati (US 3,561,391) shows the use of a marine vessel cleaning assembly and method for using said assembly, said assembly being comprised of cleaning means and displacement means that are supported on a framework that is adapted for location underwater, where said displacement means and said cleaning means can move generally upwardly and downwardly of a hull of a vessel while said cleaning means is in contact with said hull. However, none of the prior art cited shows or suggests the use of an apparatus for cleaning the hull of a floating vessel, said apparatus being comprised of a submersible framework, a plurality of moveable cleaning means that are supported by said framework, and displacement means for moving said cleaning means in order to clean the hull of said vessel, where said displacement means is connected to said cleaning means and is operable for moving said cleaning means generally upwardly and downwardly with respect to said hull while cleaning said hull. The prior art also does not show or suggest the use of a method for cleaning the hull of a floating vessel with cleaning means and displacement means that are supported on a framework that is adapted for location underwater, said method being comprised of the steps of operating said displacement means to urge said cleaning means generally upwardly and downwardly of the hull of a floating vessel, arranging said cleaning means to contact fouling on said hull, and employing control means to control the degree of generally upwardly and downwardly directed displacement of said cleaning means.

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**Conclusion**

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

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October 18, 2004

LARSA OLSON  
PATENT EXAMINER

*Lars A. Olson*  
10/18/04